

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

---

*IN RE: Romano v. Northrop Grumman Corp. et al.*, No. 16-cv-5760 (“*Romano*”)  
*Ackerman v. Northrop Grumman Corp.*, No. 18-cv-4397 (“*Ackerman*”)  
*Ackerson v. Northrop Grumman Corp.*, No. 19-cv-942 (“*Ackerson*”)  
*Ball v. Northrop Grumman Corp.*, No. 19-cv-4381 (“*Ball*”)  
*Cammarata v. Northrop Grumman Corp.*, No. 20-cv-0511 (“*Cammarata*”)  
*Cornett v. Northrop Grumman Corporation*, No. 18-cv-06453 (“*Cornett*”)

---

**JOINT LETTER RE STATUS OF DISCOVERY**

August 31, 2020

Dear Judge Brown:

As in instructed by the Court at the conference dated July 29, 2020, the parties in the above-referenced actions respectfully submit the following summary.

On August 13, 2020, the parties had an initial meet and confer, where they discussed the Court’s direction at the July 29 conference as to how to move the cases forward in an organized fashion. Subsequently, the parties held an additional meet and confer on August 26, 2020. The parties agreed to cooperate on producing additional discovery to advance such goal. First, the parties discussed Plaintiffs’ subpoenas for information of various local, state and federal agencies regarding the contamination site, and Northrop Grumman agreed to defer any formal objection to the subpoenas at this time, reserving all rights. Plaintiffs provided drafts of the subpoenas to the Defendants. The Defendants did not request any additional information of those parties. Plaintiffs served those additional subpoenas. At this point, Plaintiffs have nine (9) outstanding subpoenas duces tecum, as set out below:

THIRD PARTY SUBPOENA RECIPIENT	DATE OF SUBPOENA	DATE RESPONSE REQUIRED
Bethpage Water District	July 29, 2020	October 5, 2020
Nassau County Department of Public Works	July 29, 2020	October 5, 2020
Nassau County Health Department	July 29, 2020	October 5, 2020
The U.S. Geological Survey	July 29, 2020	October 5, 2020
New York State Department of Health	July 29, 2020	October 5, 2020
U.S. Navy	August 25, 2020	September 30, 2020
U.S. Air Force	August 25, 2020	September 30, 2020
U.S. Environmental Protection Agency	August 25, 2020	September 30, 2020
National Aeronautics and Space Administration	August 25, 2020	September 30, 2020

Next, the parties agreed that the Plaintiffs will review documents produced by the Defendants to date and provide a letter requesting additional information and proposing a list of search terms and custodians for additional document discovery. The Defendants have agreed to supplement their productions to date on the key chemicals and pathways at issue, subject to any remaining objections. The parties noted the need to review the June 2020 annual report issued by the US Navy regarding its ongoing remediation and monitoring at the site. In addition, counsel for the Town of Oyster Bay will compile a privilege log for the Town's earlier production and also provide certain historical documents relating to the donation of land and the construction of Bethpage Community Park, which was originally part of the Grumman facilities.

The parties will continue working collaboratively in advance of the conference scheduled for September 30, 2020 and will provide an update on work done to date. The parties expect to hold another meet and confer shortly to discuss their progress. All in all, the parties are working well together, and do not need the assistance of the Court at this time.

Respectfully submitted,

Hon. Judge Brown  
Aug. 31, 2020 Joint Letter re Status of Discovery  
Page 3 of 3

NAPOLI SHKOLNIK PLLC

By: /s/ Paul Napoli  
Paul Napoli  
Lilia Factor

360 Lexington Avenue, 11th Floor  
New York, New York 10017  
Telephone: (212) 397-1000  
Email: pnapoli@nsprlaw.com  
lfactor@napolilaw.com;

*Counsel for Romano, Ackerman, Ackerson,  
Ball, and Cammarata Plaintiffs*

MORRISON & FOERSTER LLP

By: /s/ Grant Esposito  
Grant J. Esposito  
David J. Fioccola  
Katie L. Viggiani

250 West 55th Street  
New York, New York 10019  
Telephone: (212) 468-8000  
Facsimile: (212) 468-7900  
Email: gesposito@mofo.com;  
dfioccola@mofo.com; kviggiani@mofo.com

*Attorneys for Defendants Northrop  
Grumman Corporation and Northrop  
Grumman Systems Corporation*

MILBER MAKRIS PLOUSADIS &  
SEIDEN, LLP

By: /s/ Peter Tamigi  
Peter F. Tamigi

1000 Woodbury Road, Suite 402  
Woodbury, New York 11797  
Telephone: (516) 715-4000  
Email: ptamigi@milbermakris.com

*Attorneys for Defendant Town of Oyster Bay*